

UNITED STATES DISTRICT COURT

for

DISTRICT OF NORTH DAKOTA

Petition for Warrant or Summons for Offender under Supervision

Name of Offender: Lacey Lynn Semler Case Number: 0868 3:15CR00078

Name of Sentencing Judicial Officer: Ralph R. Erickson, U.S. Chief District Judge

Date of Original Sentence: March 24, 2016

Original Offense: Conspiracy to Possess with Intent to Distribute and Distribute Controlled Substances

Original Sentence: 66 months incarceration followed by three years supervised release

Type of Supervision: TSR Date Supervision Commenced: 5/3/2019

Asst. U.S. Attorney: Brett M. Shasky Defense Attorney: Patrick Rosenquist

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation No.</u>	<u>Nature of Noncompliance</u>
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- | | |
|----|--|
| 1. | The defendant shall totally abstain from the use of illegal drugs or the possession of a controlled substance, as defined in 21 USC § 802 or state statute, unless prescribed by a licensed medical practitioner; and any use of inhalants. June 3, 2019, Ms. Semler provided a urine sample that tested positive for methamphetamine and she admitted to recently using on multiple occasions. |
| 2. | The defendant shall totally abstain from the use of illegal drugs or the possession of a controlled substance, as defined in 21 USC § 802 or state statute, unless prescribed by a licensed medical practitioner; and any use of inhalants. On August 15, 2019, Ms. Semler admitted to recently using methamphetamine on multiple occasions. |
| 3. | The defendant shall totally abstain from the use of illegal drugs or the possession |

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of a controlled substance, as defined in 21 USC § 802 or state statute, unless prescribed by a licensed medical practitioner; and any use of inhalants. On August 23, 2019, Ms. Semler admitted to recent use of methamphetamine.

4. **The defendant shall totally abstain from the use of illegal drugs or the possession of a controlled substance, as defined in 21 USC § 802 or state statute, unless prescribed by a licensed medical practitioner; and any use of inhalants.** On August 27, 2019, Ms. Semler admitted to recent use of methamphetamine.
5. **The defendant shall undergo a chemical dependency evaluation and if recommended she shall participate in a chemical dependency treatment program as approved by the supervising probation officer.** Ms. Semler failed to follow through with chemical dependency treatment programming as instructed.
6. **The defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer.** Ms. Semler failed to report in to her U.S. Probation Officer as instructed on multiple occasions.
7. **The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.** Ms. Semler had ongoing unapproved contact with people who were engaged in criminal activity or convicted felons.
8. **The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.** Ms. Semler failed to notify her probation officer that she was terminated from her place of employment.

U.S. Probation Officer Recommendation: It is respectfully recommended a warrant be issued for the defendant and hearings be held to determine if she has violated the terms and conditions of supervised release.

☒ The term of supervision should be:

☒ Revoked.

☐ Extended for _____ years, for a total term of _____ years.

☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 25, 2019

/s/ Tara Moszer
U.S. Probation Officer

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THE COURT ORDERS:

- ☐ No Action.
- ☒ The Issuance of a Warrant/Matter Sealed Pending Arrest.
- ☐ The Issuance of a Summons.
- ☐ Other



Signature of Judicial Officer



Date